Protection of Workers' Rights

995. SHRI PREM CHAND GUPTA: Will the Minister of LABOUR be pleased to state:

(a) whether it is a fact that despite endorsing Government's stand on liberalization of labour laws, the Second National Commission on Labour has put conditions on easier retrenchement, closure of establishments, the hire and fire policy and engaging of contract labour; and

(b) if so, what steps are being taken by Government to protect rights of all workers?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI ASHOK PRADHAN): (a) and (d)The Second National Commission on Labour has recommended that prior permission is necessary in respect of lay-off and retrenchment in an establishment of any employment size. However, in the case of establishments employing 300 or more workers if the lay off is continued for more than 30 days, post facto permission of the appropriate Government shall be required. The provisions of Chapter V-B pertaining to permission for closure should be made applicable to all establishments if they are employing 300 or more workers.

In respect of the contract labour, the Commission has recommended that Contract Labour shall not be engaged for core production/services activities. However, for sporadic seasonal demand, the employer may engage temporary labour for core production/serviec activity.

Recommendations of the Commission are under consideration of the Government of India.

Child Labourers

† 996. SHRI KRIPAL PARMAR: Will the Minister of LABOUR be pleased to state:

(a) whether India has maximum number of child labourers in the world;

(b) if so, the details of the child labourers of less than 10 years, 10 to 14 years and 14 to 18 years old;

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† Original notice of the question was received in Hindi.

(c) the details of child labourers involved in begging, flesh trade, pickpocketing, smuggling, hazardous industries etc., State-wise;

(d) the estimated number of bonded child labourers; and

(e) the number of child labourers freed from bonded labour and hazardous works during the last two years and till now this years?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI ASHOK PRADHAN): (a) and (b) According to the 1991 census, the number of working children in Inida was 11.28 million. As per the information received from ILO, India has the largest number of child labour population in the world. Age-wise details of working children are not maintained.

(c)The Child Labour (Prohibition & Regulation) Act, 1986 Prohibits employment of children below the age of 14 years in Occupations and Processes listed in the Schedule to the Act. Begging, flesh trade, pick pocketing and smuggling are not included in the above schedule.

(d) and (e) The Bonded labour System (Abolition) Act, 1976 does not make any distinction between child bondage and adult bondage. As many as 2,83,158 bonded labourers have been identified since enactment of the Bonded Labour Act and up to 30.09.02. Data on child bonded labour is not maintained separately.

Bonded Labour (including child bonded labour) identified and released during the last three years are given below:

Year	No. of Bonded Labour rehabilitated
2000-01	5256
2001-02	3929
2002-03	1037 (upto 30.09.2002)

Trade Unions Opposition to the Report of Second Labour Commission

997. PROF. M. SANKARALINGAM: Will the Minister of LABOUR be pleased to state:

(a) whether it is a fact that AITUC has conveyed to Government its opposition to the report of the Second National Labour Commission on Labour;